

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

DAN M. HOROWITZ, Individually and on)	No. 2:10-cv-00227-wks
Behalf of All Others Similarly Situated,)	(Consolidated)
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
GREEN MOUNTAIN COFFEE ROASTERS,)	
INC., et al.,)	
)	
Defendants.)	
)	
_____)	

NOTICE OF APPEAL

Notice is hereby given that Mike Shanley, Jerzy Warchol, Robert Nichols, Jennifer Nichols, and Loren Marc Schmerler, lead plaintiffs in the above-named case, on behalf of themselves and all others similarly situated, hereby appeal to the United States Court of Appeals for the Second Circuit from the judgment entered on March 20, 2013, including the opinion and order granting with prejudice defendants' motion to dismiss plaintiff's Second Consolidated Amended Class Action Complaint.

DATED: April 19, 2013

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& DOWD LLP
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CERTIFICATE OF SERVICE

I, David A. Rosenfeld, hereby certify that on April 19, 2013, I caused a true and correct copy of the attached:

NOTICE OF APPEAL

to be served: (i) electronically on all counsel registered for electronic service for this case; and (ii) by first-class mail to any additional counsel.

/s/ David A. Rosenfeld

DAVID A. ROSENFELD